



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF THE EXTRADITION	)	
	)	Case No. 8:08MJ234
MARTIN ALVAREZ LANDEROS.	)	

**EXTRADITION CERTIFICATION  
AND ORDER OF COMMITMENT**

These extradition proceedings were commenced by the United States pursuant to 18 U.S.C. § 3184 and the Treaty on Extradition between the United States and Mexico 31 U.S.T. 5059; TIAS 9656, of May 4, 1978 (hereinafter "Treaty"). Martin Alvarez Landeros (hereinafter "defendant") was provisionally arrested at the request of Mexico on December 1, 2008. Pursuant to the Treaty, Mexico authorities presented a formal request for the defendant's extradition supported by appropriate documentation.

The defendant's extradition is sought by Mexico for prosecution for the offense of rape.

On February 23, 2009 this court conducted an extradition hearing pursuant to 18 U.S.C. § 3184. Based on consideration of the evidence introduced on behalf of Mexico and Martin Alvarez Landeros, oral arguments of counsel, written memoranda, and the defendant's resistance to extradition, the court finds that the terms of the Treaty and 18 U.S.C. § 3184 have been met.

Specifically, the court finds the following:

1. That there is an extradition treaty in force between the United States and Mexico, namely, the Treaty, and this court has jurisdiction in this matter;
2. That there are criminal charges pending against the defendant in Mexico charging him with rape, in violation of Articles 175 and 176 of the Penal Code of the State of Jalisco, Mexico.
3. That the crime with which the defendant is charged is an extraditable offense under Article 2, Paragraph 1 of the Extradition Treaty;

4. That the defendant who appeared before this court is the same person who is charged in Mexico in an arrest warrant issued by a Judge in the State of Jalisco, Mexico on August 12, 2008; and

5. That the evidence establishes probable cause to believe that the defendant committed the charged offense.

For the foregoing reasons, this matter is certified to the Secretary of State in order that a warrant may issue for the surrender of the defendant to the proper authorities of Mexico in accordance with the Extradition Treaty between the United States of America and Mexico.

**IT IS ORDERED** that Martin Alvarez Landeros is committed to the custody of the United States Marshal, or his authorized representative, to be confined in appropriate facilities and to remain until he is surrendered to Mexico pursuant to applicable provisions of the Treaty and United States law.

**IT IS FURTHER ORDERED** that the United States Attorney for this judicial district shall forward a copy of this Certification and Order, together with a copy of all transcripts of proceedings and copies of documents received into evidence in this matter, to the Secretary of State. The Clerk shall also mail a copy of this Certification and Order to:

Office of International Affairs  
Criminal Division  
U. S. Department of Justice  
1400 new York Avenue, N.W.  
Washington, D.C. 20005

Entered this 24 day of February 2009.

BY THE COURT:



F. A. Gossett  
United States Magistrate Judge